

# **REPORT OF THE COMMITTEE ON PUBLIC SAFETY AND WELFARE**

## **Voting Members**

Michael Formby, Chair; Brandon J.C. Elefante, Vice-Chair,  
Ikaika Anderson, Joey Manahan, Ron Menor, Kymberly Marcos Pine

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Committee Meeting Held  
May 2, 2019

Honorable Ann H. Kobayashi  
Interim Chair, City Council  
City and County of Honolulu

Madame Chair:

Your Committee on Public Safety and Welfare, which considered  
Resolution 18-298 entitled:

**"URGING THE FIRE COMMISSION OF THE CITY AND COUNTY OF  
HONOLULU TO IMMEDIATELY REVIEW THE HONOLULU FIRE  
DEPARTMENT'S EXISTING OPERATIONS RELATED TO ITS FIRE FIGHTER  
RECRUIT TRAINING AND TESTING PROGRAMS. AND THEREAFTER MAKE  
RECOMMENDATIONS TO THE FIRE CHIEF, AS APPROPRIATE,"**

introduced on December 28, 2018, reports as follows:

The purpose of Resolution 18-298 is to urge the Fire Commission of the City and County of Honolulu to immediately review the Honolulu Fire Department's existing operations, policies, and procedures related to its Fire Fighter Recruit Training and Testing Programs, in particular with regard to recent dismissals of Fire Fighter Recruits; and urges the Fire Commission to make recommendations to the Fire Chief, as appropriate.

Assistant Chief Bratakos of the Honolulu Fire Department testified in support of the proposed amendments, but expressed the Department's continued concern that language in the resolution could be construed as admission of wrongdoing.

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**CITY COUNCIL**  
CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII

ADOPTED ON **MAY 8 2019**

COMMITTEE REPORT NO. **149**

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Your Committee received testimony in support from the Hawaii Fire Fighter's Association.

Your Committee previously approved a CD1 version to Resolution 18-298 at the March 28, 2019 Committee meeting. Resolution 18-298, CD1 was subsequently recommitted back to your Committee at the meeting of the full Council on April 17, 2019.

Your Committee subsequently considered and approved a hand-carried CD1 (OCS2019-0476/5/2/2019 10:49 AM) version that further amends the CD1 approved at the March 28, 2019 meeting (OCS2019-0219/3/5/2019 5:11PM). The CD1 makes the following amendments:

- A. Amends the fifth "WHEREAS" clause to read as follows:

"WHEREAS, the FFR Training Manual for the HFD [~~states that "upon failure of a certification practical skills test, FFRs will receive a notice of functional skills failure from their Recruit Training Officer explaining the actions required to correct the deficiency and the consequences of failing a make-up test."~~] sets forth policies and procedures for the testing of HFD FFRs; and

- B. Amends the sixth "WHEREAS" clause to read as follows:

"WHEREAS, NREMT Certification guidelines [~~as well as the HFD FFR Training Manual both allow for a full exam and two retests, as standard practice in testing procedures]~~ differ from the HFD FFR Training Manual with respect to retest procedures; and

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- C. Amends the seventh "WHEREAS" clause to read as follows:
- "WHEREAS, a recent skills test of [42] FFRs in 2018 resulted in ~~[ten failed tests, the highest failing percentage (83%) in the history of the HFD]~~ an atypical number of failures; and
- D. Amends the eighth "WHEREAS" clause to read as follows:
- "WHEREAS, those FFRs who failed the initial skills test were required to take a retest shortly after the initial skills test~~[, without information from their Recruit Training Officer explaining the actions required to correct the deficiencies, and without any explanation provided to justify a same-day retest];~~ and
- E. Amends the ninth "WHEREAS" clause to read as follows:
- "WHEREAS, ~~[four]~~ certain FFRs who failed the retest~~[, and]~~ were dismissed from the HFD ~~[immediately for failure to pass a second certification practical skills test, without being provided the opportunity to take a second re-test];~~ and
- F. Removes the tenth "WHEREAS" clause;
- G. Amends the eleventh "WHEREAS" clause to read as follows:
- "WHEREAS, it is imperative that ~~[investigative action and corrective action]~~ a policy review be ~~[taken]~~ undertaken ~~[immediately]~~ by the Fire Commission to address ~~[this issue, as the dismissed FFRs do not appear to have received fair treatment in keeping with the highest standards of professional conduct by the HFD]~~ HFD FFRs and recruit training policies and practices; and"

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- H. Amends the twelfth "WHEREAS" clause to read as follows:

"WHEREAS, ~~[any inquiry]~~ a review by the Fire Commission should include an examination of ~~[the extremely high number of current FFR skills test failures; pass versus fail rates of current and past classes of recruits; appropriateness of requiring]~~ NREMT-EMT B Certification guidelines, policies and procedures versus the policies and procedures set forth in the FFR Training Manual for the HFD ~~[for first responders; and a search for a clearer understanding of the circumstances related to the recent summary dismissals of those four FFRs];~~ now therefore,

- I. Amends the "BE IT RESOLVED" clause to read as follows:

"BE IT RESOLVED by the Council of the City and County of Honolulu that the Fire Commission is urged to review existing operations, policies, and procedures related to Fire Fighter Recruit Training and Testing~~[-in particular with regard to the recent dismissals of four Fire Fighter Recruits];~~ and

- J. Removes the second "BE IT FURTHER RESOLVED" clause;

In sections A thru E, G and H, above, new resolution language is underscored and resolution language being deleted is bracketed and stricken. In section I, above, resolution language being deleted is bracketed and stricken.

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## CITY COUNCIL

CITY AND COUNTY OF HONOLULU  
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ADOPTED ON MAY 8 2019

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Your Committee on Public Safety and Welfare is in accord with the intent and purpose of Resolution 18-298, as amended herein, and recommends its adoption in the form attached hereto as Resolution 18-298, CD1. (Ayes: Formby, Anderson, Pine – 3; Ayes with reservations: - Elefante – 1; Noes: None; Excused: – Manahan, Menor - 2.)

Respectfully submitted,

  
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Committee Chair

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**CITY COUNCIL**  
CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII

ADOPTED ON MAY 8 2019

COMMITTEE REPORT NO. 149



## **RESOLUTION**

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URGING THE FIRE COMMISSION OF THE CITY AND COUNTY OF HONOLULU TO IMMEDIATELY REVIEW THE HONOLULU FIRE DEPARTMENT'S EXISTING OPERATIONS RELATED TO ITS FIRE FIGHTER RECRUIT TRAINING AND TESTING PROGRAMS, AND THEREAFTER MAKE RECOMMENDATIONS TO THE FIRE CHIEF, AS APPROPRIATE.

WHEREAS, Section 6-1005, Revised Charter of the City and County of Honolulu 1973 (2017 Edition) ("Charter"), establishes a Fire Commission consisting of seven members appointed by the Mayor and confirmed by the City Council ("Council"); and

WHEREAS, Charter Section 6-1006 outlines the major duties of the Fire Commission, which include: reviewing operations of the Honolulu Fire Department ("HFD"), as deemed necessary, for the purpose of recommending improvements to the Fire Chief; reviewing personnel actions within HFD for conformance with the policies under Charter Section 6-1002; and hearing complaints of citizens concerning HFD or its personnel and, if deemed necessary, making recommendations to the Fire Chief on appropriate corrective actions; and

WHEREAS, Charter Section 6-1002 provides that HFD recruitment shall attract persons with high degrees of education, intelligence, and personal stability, with promotions and personnel actions based upon fair and appropriate standards of merit, ability, and work performance; and

WHEREAS, Honolulu Fire Fighter Recruits ("FFR") have training standards which include certification testing and a requirement to achieve National Registry of Emergency Medical Technicians ("NREMT") – EMT B (Basic) Certification; and

WHEREAS, the FFR Training Manual for the HFD sets forth policies and procedures for the testing of HFD FFRs; and

WHEREAS, NREMT Certification guidelines differ from the HFD FFR Training Manual with respect to retest procedures; and

WHEREAS, a recent skills test of FFRs in 2018 resulted in an atypical number of failures; and



**CITY COUNCIL**  
CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII

No. **18-298, CD1**

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**RESOLUTION**

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WHEREAS, those FFRs who failed the initial skills test were permitted to take one retest shortly after the initial skills test; and

WHEREAS, certain FFRs who failed the retest were dismissed from the HFD; and

WHEREAS, it is imperative that a policy review, as appropriate, be undertaken by the Fire Commission to address HFD FFRs and recruit training policies and practices; and

WHEREAS, a review by the Fire Commission should include an examination of NREMT-EMT B Certification guidelines, policies and procedures versus the policies and procedures set forth in the FFR Training Manual for the HFD; now therefore,

BE IT RESOLVED by the Council of the City and County of Honolulu that the Fire Commission is urged to review existing operations, policies, and procedures related to Fire Fighter Recruit Training and Testing; and

BE IT FURTHER RESOLVED by the Council that the Fire Commission is urged to make recommendations to the Fire Chief, as appropriate, based upon its review; and



# CITY COUNCIL

CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII

No. 18-298, CD1

## RESOLUTION

BE IT FINALLY RESOLVED that copies of this Resolution be transmitted to the Mayor, the Fire Chief, and the Chair of the Fire Commission.

INTRODUCED BY:

Ernest Martin

Ann H. Kobayashi

DATE OF INTRODUCTION:

December 28, 2018  
Honolulu, Hawaii

Councilmembers